

Accordingly, the Court **ADOPTS** the Magistrate Judge's R&R, and, for the reasons set forth therein, Defendants' Motion for Summary Judgment (Dkt. No. 18) and the Motion for Summary Judgment filed by Plaintiff (Dkt. No. 21) are **DENIED**.

It is so **ORDERED**.

SIGNED this 17th day of March, 2025.

A handwritten signature in blue ink, appearing to read 'Orlando L. Garcia', is written above a horizontal line.

ORLANDO L. GARCIA
United States District Judge